THE HON'BLE SRI JUSTICE D.S.R.VARMA
AND
THE HON'BLE SRI JUSTICE D. APPA RAO

TAKEN UP WRIT PETITION NO. 11978 OF 2007
DATE: 26.6.2007

Between:

A. Abraham, C/o Devadas, Ramnagar, Usmansahebpet, Nellore

…Petitioner

AND

1. The Station House Officer, Balajinagar Police Station, Nellore District and one another

….Respondents

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HON'BLE SRI JUSTICE D.S.R.VARMA
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TAKEN UP WRIT PETITION NO. 11978 OF 2007

ORAL ORDER: **(per the Hon'ble Sri Justice D. APPARAO)**

Heard the learned Government Pleader for Home, representing the learned Advocate General, appearing for the respondents.

2. This writ petition is taken up on the strength of a 'Telegram', dated 06.06.2007 sent by A. Abraham, alleging that Circle Inspector of Police, Balajinagar Police Station, Nellore District was illegally taken away by one Talluru Yohan S/o
Devadas on 5.6.2007 at about 9.00 AM in connection with the Crime No. 70 of 2007 and apprehending danger to his life and therefore, seeks a direction to the respondents to produce him before this Court.

3. A counter affidavit has been filed by the Inspector of Police, Balajinagar Police Station, Nellore District, inter alia, stating that the alleged detenu is an accused in Crime No. 70 of 2007 for the offences under Sections 376, 417 & 366 (A) of IPC of Balajinagar Police Station, Nellore District. Initially the above said crime was registered under Section 366(A) of IPC on 29.5.2007 and basing on the statement of the victim girl, the above case was registered by altering the section of law as indicated above. Pursuant to the arrest, he was produced before the II Additional Judicial First Class

Magistrate, Nellore, with a request to grant him with judicial remand. On such production, the judicial Magistrate remanded him to judicial custody by an order dated 9.6.2007 and the alleged detenu is now lodged at District Jail Nellore.

4. In view of the facts stated above, we do not find any merit in the Writ Petition and accordingly, the same is closed. No order as to costs.

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D.S.R.VARMA, J

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D. APPA RAO, J

Dated: 26.06.2007
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